



Washington State Senate

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December 4, 2018

Senator Randi Becker
Republican Caucus Chair
316 Legislative Building
Olympia, WA 98504

Dear Senator Becker,

I'm responding to your December 2 letter formally requesting that the Senate Facilities & Operations Committee take a new vote to end the investigation into Candace Faber's allegations of rape against Senator Joe Fain.

When the Facilities & Operations Committee unanimously voted to launch this investigation, we believed it to be a testament to this institution's dedication to put politics aside and create a safe environment for survivors to come forward, and for anyone accused of such behavior to receive fair, unbiased treatment. It is disappointing to see that it appears the Republican Caucus no longer shares these values, particularly in light of Senator Fain's request for an investigation from the time the allegation was made public and your caucus' public support of said investigation, through the vote taken by F&O.

Under the state constitution, each chamber is the judge of the qualifications of its members. The simple fact is that Senator Fain remains a member of this body until noon on January 14, 2019. So long as he maintains his title as a representative of the people, the Senate has authority to judge his qualifications to do so.

Nor does Sen. Fain's defeat mean the Senate should back away from its responsibility to the public, to survivors of assault, and to those accused of assault. Yes, we embrace the word "survivor" in referring to Ms. Faber and women like her, women who have the courage to come forward despite knowing they will face the might of institutions not likely to believe them. Just as Senator Fain deserves the benefit of the doubt, a fair and thorough investigation, and to be treated respectfully throughout the process, so too does Ms. Faber.

It is discouraging to hear the Republican Caucus has viewed this process as a partisan one, considering the extraordinary efforts undertaken in selecting an appropriate investigator to ensure this is not the case. The Secretary of the Senate vetted numerous candidates from a variety of backgrounds, many suggested by your own caucus. All had the experience and background necessary to conduct a fair and unbiased investigation. As of today, the Minority Leader has refused to approve any of them.

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Regarding your request for a vote of the Committee, I see no reason why a vote should be necessary. As you recall, this investigation operated outside the process set forth in the Senate's Policy on Appropriate Workplace conduct and was contingent upon the leaders of both caucuses agreeing on an investigator. Your caucus has frustrated what was to be a collaborative process and your letter clearly explains why. Regrettably, the investigation cannot continue without your caucus' good faith participation and the only option at this point is for the Secretary of the Senate to suspend the process of hiring an investigator.

Despite this unfortunate result, our caucus intends to stand by our values. We will continue to insist that any complaint against a member be addressed promptly, fairly, and without political bias as required by the Senate's Policy on Appropriate Workplace Conduct.

Respectfully,



Senator John McCoy
Democratic Caucus Chair

Cc:

Senator Andy Billig
Senator Mark Schoesler
Senator Marko Liias
Senator Karen Keiser
Senator John Braun
Secretary of the Senate Brad Hendrickson
Deputy Secretary of the Senate Sarah Bannister
Senior Senate Counsel Victoria Cantore
Senior Senate Counsel Jeannie Gorrell